

## Environment and Energy Committee Meeting

September 18, 2017 6:30 p.m. CCV Hall

### Minutes of the Meeting

1. The Environment and Energy Committee met at 6:30 p.m. on Monday, September 18, 2017 in the Chevy Chase Village Hall. Marea Hatzios chaired the meeting. Those attending included Marilyn Bracken (E&E Committee Co-Chair), Betsy Stephens, Ralph Stevens, Gary Crockett (CCV Board Contact), Ellen Sands (CCV Management Liaison), and Susan Dixon, who represented the CCV Parks Committee. An Agenda of the meeting is attached (Annex 1).

2. Marilyn Bracken provided an update on the Challenge to the County Healthy Lawn Act, Bill 52-14 filed in the Circuit Court of Montgomery County. The lawsuit was filed by the pesticide industry lobbying organization seeking to overturn restrictions on private use of non-essential lawn pesticides, based on a dubious claim of preemption by Maryland Law that previously had been refuted. There is also a claim by industry of irreparable harm. This claim is contradicted by experience of the City of Takoma Park. An informative discussion is provided in The Town Courier Gaithersburg, January 5 2017. As a result of the lawsuit private property owners in the County are not expected to comply with the Law until there is a decision by the Court. According to Chris Gilles, Legislative Staff to Council Member George Levenathal, the decision is expected this fall. Marilyn will continue to monitor this activity and report back to the Committee and to the CCV Board.

3. Marilyn also briefed the Committee on a discussion at the CCV Board at the September 9<sup>th</sup> Board Meeting regarding concerns about the condition of the turf in the Oliver Street Park and whether or not a pesticide-free treatment of this and other Village Greenspace was working. Marilyn represented the E&E Committee at the Board meeting and argued for staying the course with an organic regimen of treatment. (See Memo to the E&E Committee, Annex 2, summarizing a proposed approach). This includes aeration, over-seeding and fertilizing with organic nutrients to build up the soil and allow the turf grasses re-establish their dominance over weedy species, which do well in dry, hot, summer weather. It was also suggested that some initial weeding by hand (possibly employing a supervised crew of Village Teens, who could receive community service credits) might help control weeds until conditions favoring the turf grasses prevail. Agreed follow up actions by the Committee include those summarized in Marilyn's memo to the Committee, as follows:

- I. Meet with Jody Fetzer and get information on Parks and demonstrations where weed control agents are being tested and visit selected Parks.
- II. Meet with University of MD Turf Control Staff to determine which variety of turf is best for Village Parks and find out about organic agents they are using, including Fiesta Turf Weed Killer, to control broadleaf weeds.
- III. Identify which Parks in the Country are using Fiesta Turf Weed Killer and visit. Assess costs of application and maintenance.
- IV. Meet with Zach Kline, CEO, AIR

V. Talk to Office of Pesticides, EPA with Director of Integrated Pest Management Program.

4. The Board asked the E&E Committee, in coordination with the Parks Committee, to look into various additional treatment options that might improve the outcome, while still using an organic protocol. A number of options were discussed at the E&E Committee meeting, including using native grasses, if available, and varieties more appropriate to the use and weathering of the greenspace in question. Marilyn also reported that the County has some experimental plots that are being maintained under a variety of non-pesticide treatments to determine which ones worked best and under what conditions. To get a better understanding of activities in the County, Marilyn directed E&E Committee members to go onto the web site of the Montgomery County Parks' Pesticide Reduction and Integrated Pest Management Program: <https://www.montgomeryparks.org/about/parks/pesticide>

5. There is a section that provides information on (i) the Pesticide Application Notification Program for parks that are scheduled for application of a pesticide, as well as (ii) a list of pesticide free parks and the alternative treatments being used. There are several in Wheaton. The Committee Chairs asked if members could drive out to some of these plots to see how they are doing relative to the conventionally treated turfs (i.e., with pesticides) and in comparison with the Oliver Street Park, and report back to the E&E Committee as input for our next briefing to the Board on this issue.

6. Ellen Sands offered to provide stats on the area of individual parks and greenspaces in the Village (see table attached in Annex 3) as input to an informal inspection of Village Greens and the extent to which weeds like Broadleaf Plantain (*Plantago major*), which is widespread in the Oliver Street Park, is a common problem. Marilyn Bracken and Susan Dixon of the Parks Committee offered to look into this and report back to the Board. Marilyn also informed the Committee that there is now a list of identified Invasive Species which are exempt from the pesticide restrictions under the Healthy Lawn Legislation, on the Montgomery County Parks website. It will be necessary to consult this list to determine which, if any, weedy species on Village Greens qualify as invasives and are exempt from restrictions on pesticide use.

7. Marea Hatziolos briefed the Committee on the current list of speakers lined up by the Committee on Community Relations for the 2017-2018 season (see Annex 4). She then presented the Committee with a number of possible speakers under the Sustainable Living Lecture Series. These included a representative from of the Chesapeake Bay Foundation, which is celebrating its 50<sup>th</sup> anniversary; Gary Frosh, MD Attorney General, along with other elected officials who could participate on a Q&A about their (and the State's) Environmental Agenda as part of a panel; and, a speaker on Climate Change and risks to public health. Marea will explore these ideas further. She has already locked in a date with the Village Hall in the 3<sup>rd</sup> week of April for An Earth Day lecture. Susan Dixon indicated that the Parks Committee would be delighted to co-sponsor some of these lectures and help ramp up attendance. It was also suggested that the E&E Committee explore joint speakers with Chevy Chase at Home, particularly in relation to Health and Climate Change issues.

8. On the issue of Waste Management in the Village, Marea Hatziolos summarized the views of various Committee Members and some Village residents regarding the low uptake of food composting in the Village, and the Board's decision not to subsidize this service, or provide any incentives to encourage residents to sign up for the Compost Crew Service on a trial basis. The Town of Somerset has fully underwritten food composting as part of its waste management service to the Town, replacing one of two regular trash pick-ups, with collection of food waste by Compost Crew. Ollie Davidson forwarded updates on Montgomery County's draft strategy for reducing food waste through food recovery and distribution to families in need, and composting. Susan Dixon of the Parks Committee, reported that the Garden Club of Chevy Chase has a goal of getting all of its members (over 50) to commit to composting this year. This County's new strategy for reducing food waste in the waste stream.

9. It seems that some Village households continue to put inappropriate waste, including contaminated waste and plastic film/plastic bags, in the Recycling Bins. This could potentially result in rejection of the Village's waste at the recycling facility in PG Country at significant cost to both the service provider (Elegance) and the Village. There seems to be considerable confusion over what is eligible waste and what is acceptable but low value-waste for recycling. Ellen Sands provided the Committee with the list of permissible items for inclusion in the Village's recycling service, which is included in the information packet given to new Village residents (Annex 4). The list also notes what items are not eligible for recycling and which could contaminate the Village's waste stream.

10. On Green Landscape Providers: Gary Crockett provided contacts for a Landscaping Contractor who has begun using battery powered leaf blowers in his service in the Village. Mr. Younis Kodhair (General Garden Work & Landscape Co.) reports that these new electronic leaf blowers are just as effective as gas powered ones but far less polluting and quieter. Ellen Sands uploaded this information onto the E&E website's list of "green landscape contractors" for use by Village residents.

11. It was agreed that Marilyn Bracken will continue to follow the legal challenges and outcomes surrounding certain aspects of the Healthy Lawn Bill and keep the Board and the Committee apprised. Committee members will follow up on the approach suggested by Marilyn to explore options currently under study by Montgomery County to assess the effectiveness of organic treatment of parks and lawns in terms of a protocol for the Village. Susan Dixon will also enlist the support of the Parks Committee in this effort. Marea Hatziolos will follow up on speakers for the Sustainable Living Lecture Series.

11. No new business was reported and the meeting was adjourned at 7:30 p.m. Minutes of the meeting, along with the agenda, will be posted on to the E&E Committee's page of the CCV website.

Respectfully submitted,

Marea Hatziolos, PhD

September 22, 2017

**Annex 1.**

Environment and Energy Committee Meeting

September 18, 2017 6:30 p.m. CCV Hall

Agenda

1. Update from Marilyn Bracken on what the recent ruling by the Circuit Court that provisions under the new County (Healthy Lawn) Bill 52-14, restricting the use of Cosmetic Pesticides on private properties are not consistent with State Law means for residents, and whether it is likely that the County Board will appeal this ruling; and
2. A summary of the CCV Board's discussion about the efficacy to date of pesticide-free treatment of Village Greens, and what options the E&E Committee, in coordination with the Parks Committee, might propose to improve the outcome, while still using an organic protocol.
3. Update from Marea Hatziolos on possible speakers for the Sustainable Living Lecture Series and articles for the Crier
4. Brief update from Ollie Davidson (time permitting) on the County's new strategy for reducing food waste in the waste stream
5. New Business

## **Annex 2. Memo**

To: E&E Committee

From: Marilyn Bracken

Subject: Use of Organics on Village Parks

Date: September 18, 2017

I attended the Board Meeting on October 11 since there was to be a discussion of the Organic Turf Maintenance on the Village Parks. I was not informed of the meeting until early that morning when I just happened to see the Board Meeting Agenda.

Ellen Sands had prepared a report, which was available on line. It seems a number of people had complained about the excessive weeds in the Parks particularly the Oliver Street Park. Jerry Lesesne, Village Director of Public Works, reported that the organic based program was not working at all. Two contractors had been asked for proposals. I reviewed all of this material and attended the meeting and raised a number of issues.

The Board's position is very supported of the organic weed control strategy, which was adopted by the Board in May 2013 with an endorsement from the E&E Committee.

It appears that the Oliver Street Park has been taken over by Plantain, which is broadleaf weed that is difficult to control with organic fertilizers, which the present contractor had been using. The Board asked me if the Committee would study the problem and make a recommendation regarding going forward with treatment. Margo Kingston from the Parks Committee offered to work with us.

I spoke with Jody Fetzer, Management Coordinator at the Montgomery County Parks Commission Horticulture, Forestry and Environment. We discussed the Parks Program successes and failures. The Office has some demonstration programs with various treatments in a number of parks. She answered a lot of my questions and told me to talk to the University Of Maryland's Turf Program.

### Suggested Approach

1. Meet with Jody Fetzer and get information on Parks and demonstrations where weed control agents are being tested. and visit selected Parks.
2. Meet with University of MD Turf Control Staff to determine turf that is best for Village Parks and find out about organic programs that are working alongside control of broadleaf weed killers.
3. Find out Parks that are using Fiesta Turf Weed Killer and visit. Assess costs
4. Meet with Zach Kline, CEO, AIR
5. Talk to Office of Pesticides, EPA with Director of Integrated Pest Management Program.

**Annex 3.** Approximate Area of Parks and Greenspace in Chevy Chase Village

Large Oliver Street Park: .7 acres

Small Oliver Street Park: .2 acres

Buffer: 2 acres (including the right-of-way portion along Oliver Street)

Laurel Parkway Raingarden/Park: 1.1 acres

Newlands Street Park: .7 acres

Brookville Road Park: .6 acres

**Annex 4:** List of Recyclable Material (provided to new residents and posted in the Village Hall)

## “YES” List:

- ❖ Paper: All kinds of paper, glossy or matte finish:
  - office paper;
  - color paper;
  - magazines;
  - cardboard boxes;
  - packing materials.
- ❖ Metal: All metal (aluminum, tin and steel) food and beverage containers including:
  - non-hazardous aerosol cans (shaving cream, whipped topping etc.);
  - cookie and popcorn tins.
- ❖ Aluminum foil (as long as it does not have too much caked-on food).
- ❖ Plastic: All plastic containers that are marked with any recycling code from 1 through 6.
- ❖ Glass: All food and beverage jars and bottles made of clear, green and brown glass.

*Lightly rinse food containers- you don't have to scrub them, just rinse. Caps are accepted but should be removed prior to adding to the bin.*



## “NO” List:

- Plastic bags;
- Plastic wrap;
- Plastic eating utensils & straws;
- Plastic packaging such as for toys and cd "jewel cases";
- Plastic containers from automotive or pesticide products;



- Styrofoam packing peanuts;
- Styrofoam clamshell containers and Styrofoam egg cartons;
- Glass that is not for food containment, such as glassware, serving dishes or mirrors.

**Questions? This web site will tell if it's recyclable:**

<http://www2.montgomerycountymd.gov/DepHowDol/search.aspx>